

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD  
MINUTES**

**MAY 24, 2021**

**I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Mr. Richardson called the meeting to order at 8:09 a.m. through virtual video and audio conferencing and declared a quorum.

**Board Members Present:**

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC, Board Chair  
George Brenner, MS, LCSW, LMFT, LCAC, Vice Chair  
Stephan Viehweg, MSW, LCSW  
Andrew Harner, MSW, LCSW, Board Liaison, SW Section Chair, Board Designee  
Kelley Gardner, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Board Members Not Present:**

Rex Stockton, Ed. D., LMHC, LCSW, LMFT  
Elizabeth Cunningham, D.O., Psychiatric Physician Member  
Jacqueline Eitel, RN, Consumer Member (off at 3:30 p.m.)

**State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Dana Brooks, Assistant Board Director, Professional Licensing Agency  
Adam Harvey, Deputy Attorney General, Office of the Attorney General

**II. ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda as amended.

Viehweg/Brenner  
Motion carried 6-0-0

**III. APPROVAL OF MINUTES**

A motion was made and seconded to approve the minutes of November 30, 2020, and December 7, 2020, as amended.

Brenner/Gardner  
Motion carried 6-0-0

**IV. PERSONAL APPEARANCE**

**A. Chelsea Summerlot (LMFT)**

Ms. Summerlot appeared with counsel Tammy Murray per her request to discuss her application for LMFT by examination. The Board stated that based upon what they have

reviewed, her file cannot be approved at this time as she has not shown to meet requirements. The Board requested that she may withdraw her application at this time so they Board is not forced to deny her application, which would be detrimental should she attempt to apply to other States. Ms. Murray stated that Ms. Summerlot's application is an equal protection issue and made the argument that the statute and rules are in contradiction. The Board stated that per their rules, Ms. Summerlot must show two years of employment and supervision, with the required hours, as an LMFTA, before obtaining her LMFT license. Ms. Summerlot has not held her LMFTA for two years. The Board stated that per statute Ms. Summerlot can count up to 500 hours after she took the first available exam; however, she still must hold the LMFTA for two years which will end in February of 2022. The Board noted her concerns of potential inconsistencies with the review process. The Board asked Ms. Summerlot and counsel if they are requesting the Board to vote on her file. Ms. Murray stated that they will be withdrawing the current application by examination. After that they will submit a new application by reciprocity.

**V. ADMINISTRATIVE HEARINGS**

**A. Amy Holbert, LCACA, License No. 87900030A**

Cause No. 2021 BHSB 0004

Re: Voluntary Summary Suspension Extension Agreement

**Parties Present:**

Respondent was not present

Ryan Eldridge, Deputy Attorney General, Office of the Attorney General

Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Mr. Richardson, LMHC (Hearing Officer)

Mr. Viehweg, LSW

Mr. Brenner, LCAC

Mr. Harner, LCSW

Mr. Gardner, LMFT

Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about April 30, 2021, Ms. Holbert's LCACA license was placed on Summary Suspension based upon the fact that Ms. Holbert presents a clear and present danger to the public. The State is requesting that Ms. Holbert's Summary Suspension be extended for an additional month until June. Currently the State is working on a Settlement Agreement for a possible resolution in this matter. Ms. Holbert is still working on her sobriety and treatment.

**Board Action:** A motion was made and seconded to accept the Summary Suspension extension for an additional month in the matter of Ms. Holbert.

Harner/Brenner

Motion carried 6-0-0

**B. Libby Christianson, LCSW, LMHC, License No. 34002589A, 39000270A**

Cause No. 2021 BHSB 0002

Re: Administrative Complaint

**Parties Present:**

Respondent was present with counsel Michael Progar  
Ryan Eldridge, Deputy Attorney General, Office of the Attorney General  
Mary Hutchison, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Witnesses for the State:**

Benjamin Werner  
Zachary Lee

**Participating Board Members:**

Mr. Richardson, LMHC (Hearing Officer)  
Mr. Viehweg, LSW  
Mr. Brenner, LCAC  
Mr. Harner, LCSW  
Mr. Gardner, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about February 8, 2021 an Administrative Complaint was filed against Ms. Christianson will allegations that she failed to report to the department of child services or a local law enforcement agency suspected child abuse in accordance with IC 31-33-5, and that she is unfit to practice as she has failed to keep abreast of current professional theory or practice per IC 25-1-9-4(a)(4)(B). The State informed the Board that Ms. Christianson was aware of a relationship between a thirteen (13) year old girl, and a twenty- one (21) year old male. Ms. Christianson was a counselor for patient ER and knew that ER developed a romantic relationship with her tutor. It is mandatory that everyone in the State of Indiana report a suspected case of child abuse. The State alleged that Ms. Christianson was aware of the relationship, and even encouraged it based upon her documented case notes. ER was later hospitalized and was deemed a suicide risk.

Mr. Progar opened to say that Ms. Christianson did not report the suspected child abuse as she was aware that ER's mother had reported the case to the police. Mr. Progar submitted Exhibit A, which is a copy of the initial Administrative Complaint. The State had no objections to the Exhibit and the Board accepted it. Mr. Progar stated that ER never reported her relationship as romantic to Ms. Christianson and had informed Ms. Christianson that they were just friends.

The State called Zachary Lee as witness. Mr. Lee is an investigator with the Office of the Attorney General. Mr. Lee obtained copies of ER's patient medical records, and copies of the police reports.

The State submitted their Exhibit A which is a copy of ER's medical records. Mr. Progar objected to the Exhibit for authentication dispute. Mr. Lee clarified that he has a business record affidavit that stated they are true to the best of the company's knowledge, and they were signed off by Ms. Christianson that the records were true to the best of her knowledge. Mr. Progar withdrew objection. The Board accepted the Exhibit. The Exhibit showed that there

were fifteen (15) visits between ER and Ms. Christianson. Ms. Christianson also had meetings between family members of ER. In the noted records it shows that ER had communication with the math and music tutor, nicknamed the London man.

The State submitted their Exhibit B which is Ms. Christianson's response to the consumer complaint filed to the Attorney General's Office. Mr. Progar did not object to the Exhibit, and it was accepted by the Board.

Ms. Christianson stated to the Attorney General's office that the relationship between ER and the London man was an infatuation by ER. She also noted that ER's family was aware of the infatuation. Mr. Lee reported that in Ms. Christianson statement to him, that she knew ER's mother filed a police report against the London man. The State asked Mr. Lee during the course of his investigation, what led him to believe that ER was a victim of child abuse. Mr. Lee stated that he reached out to ER and her mother. Mr. Lee stated that he had been presented with text messages from ER and her mother covering a three (3) to four (4) months duration of ER's relationship with the London man. The text messages showed that Ms. Christianson encouraged ER's mother not to report the suspected child abuse. Mr. Lee stated that based upon the text messages that were presented, he determined that the messages were romantic in nature. The Board asked Mr. Lee if he saw any pictures that were inappropriate in the text messages. Mr. Lee reported that he did not. He stated that according to Ms. Christianson's statement, ER's mother had reported to her that an explicit male photo was sent to ER by another man known as the Indiana man. Mr. Progar objected to this line of question as this individual is not in the administrative complaint, and the question is not focused on ER's care. The Stated affirmed that this line of questioning is relevant as it shows that Ms. Christianson failed to report this case of child abuse toward ER which falls under failure to report abuse. The Board allowed the question, and Mr. Lee clarified that the Indiana man is known to be thirty-one (31) years old, and ER has exchanged a number of messages with him as well. Mr. Lee stated that Ms. Christianson was providing care to ER when the messages of the Indiana man were sent to ER.

The State called Detective Benjamin Werner of the Indiana State Police as witness. Detective Werner stated that he was working on a suspicion of child solicitation and suspected child abuse case. During the investigation Ms. Christianson's name came up as the counselor of ER, and he spoke with Ms. Christianson as part of the investigation. He stated that he spoke to Ms. Christianson of the text message exchange between ER and her mother. Detective Werner stated that all calls from his office are recorded. Detective Werner stated that case has been resolved and charges were filed against the individual known as the Indiana man. Detective Werner stated he worked on two suspected child abuse cases regarding ER and that he did not receive any reports from Ms. Christianson. Based upon his investigations, he determined that Ms. Christianson failed to report both cases.

The State submitted Exhibit C which is a copy of Detective Werner's police report. Mr. Progar did not object and the Board accepted the Exhibit.

Detective Werner stated that he had collected the three (3) cellphones and one (1) iPad from both ER and her mom. All devices were evaluated by forensics, and ER's phone was found to have explicit adult male photos sent to her from both the London man and the Indiana man.

The State submitted Exhibit D which is a forty-four (44) minute recording of Detective Werner's interview with ER's mother(?). Mr. Progar did not object, and the Board accepted the Exhibit.

Detective Werner stated that his interview with Ms. Christianson was a phone interview. She was not required to answer the call; however, she was only informed of that fact at the end of the call. Ms. Christianson was not in police custody, and no formal charges have been filed against her. Detective Werner stated that he noted based upon the phone records there was a conversation between Ms. Christianson and ER's mother. Three (3) hours after that conversation ER's mother contacted the police about suspected child abuse.

The State submitted Exhibit D which is a recorded call between Detective Werner and Ms. Christianson. Mr. Progar did not object and the Board accepted the Exhibit.

In the interview between Detective Werner and Ms. Christianson she stated that she was only aware of one individual, but not another. Ms. Christianson did state that she had expressed concerns with ER's mother regarding the fact that she suspected ER fell in love with the Indiana man. Ms. Christianson stated that she was unaware of any other individuals that ER might have a relationship with.

Mr. Progar called Ms. Christianson as witness. Ms. Christianson has been licensed as an LCSW and LMHC since 1992 and has been in school counseling for twenty-two (22) years. She stated that she is aware of mandatory reporting for suspected child abuse.

Mr. Progar submitted Exhibit E which are the text message exchanges between ER's mother and Ms. Christianson. The State did not object and the Board accepted the Exhibit.

Ms. Christianson stated that ER's mom informed her that a police report of child abuse had been filed by her based upon her knowledge of ER's inappropriate online contact. Ms. Christianson stated she did not want to imply that she would never report the suspected abuse. She clarified that her intention was to give ER the power to make the report herself in order to give her more control in her situation. Ms. Christianson stated that at the time, she was under the understanding that the police were not looking into ER's relationship with the London man, and that they were only investigating the Indiana man. Ms. Christianson stated that she never spoke to ER's mom about the relationship ER had with the London man. Ms. Christianson continued to state that she was building trust with ER and wanted to keep lines of communication open with her. Ms. Christianson stated that she did discuss her inappropriate relationship with the London Man; however, ER denied that the relationship was inappropriate. Ms. Christianson stated that she did not suspect abuse until ER's mom submitted the police report.

Mr. Progar's Exhibit E and F were not accepted due to no foundation for the case.

Ms. Christianson stated that she is aware that teenagers lie in order to get out of trouble, but she was not aware of all the details of ER's relationship with the London man and the Indiana man. Ms. Christianson stated that her notes are not detailed for each conversation, but she would draw hearts around the names to give herself a visible cue so she would remember that ER liked a specific individual. She stated that she is aware of the importance of notetaking, but that the specifics of record requirements vary by agency. The State asked Ms. Christianson if she was aware of the explicit image sent to ER as stated by Detective Werner. Ms. Christianson stated she was not aware of the image until ER's mother told her over the phone. Ms. Christianson stated that the series of events around ER have been very traumatizing for her and that when she spoke to the police, she was not thinking clearly. She stated that if she had time to compose her thoughts, she would have conveyed her thoughts better to the Detectives. She stated that she is aware that she must report suspected child abuse unless a report had already been made. Ms. Christianson attested that she was aware ER's mom was submitted a police report, which is why she did not submit her own report. The Board asked for clarification on what was Ms. Christianson's goal with ER as a patient. Ms. Christianson stated that her goal for ER was to improve her mood, to get her to become more social and help her cope with depression. Ms. Christianson stated that she did not meet up with anyone regarding ER's diagnosis; however, she did meet up with Dr. Hogle once a month to discuss cases. Ms. Christianson stated that she is not receiving supervision since she is fully licensed. Ms. Christianson stated that she was not concerned that the London man was grooming ER since he was four thousand (4,000) miles away and the tutoring was done virtually. Ms. Christianson stated that she did not get a second opinion from another professional on ER's relationship with the London man.

Mr. Progar stated that in conclusion Ms. Christianson was aware of one individual that had an inappropriate relationship with ER, and that Ms. Christianson did not consider the relationship ER had with the London man to be in romantic in nature. Ms. Christianson attests that the relationship was only a crush and banter dialogue. Mr. Progar stated that Detective Werner has not presented a case that the relationship between ER and the London man was an adverse relationship. He also attested that the only reason Ms. Christianson did not report the suspected abuse, was due to the fact she knew ER's mother already had.

The State concluded that Ms. Christianson has had many years of training and education regarding what to do when child abuse is suspected. Ms. Christianson has not followed through on her training and education. Ms. Christianson has had multiple visits with ER and has expressed conflicting statements regarding ER's relationship with the London man. Ms. Christianson has expressed that she knew the relationship might be detrimental, but also allowed the relationship between ER and the London man to continue. Ms. Christianson was aware that ER's mental state was low as she indicated that her goal with ER was to improve her mood. Ms. Christianson stated that she has never met the London man, but still encouraged ER's relationship with him. Ms. Christianson has stated that she was traumatized by the case and the investigations of what occurred, but she still never reported the incident to either the police, or the Department of Child Services. Ms. Christianson even encouraged ER's mom not to submit a police report as she wanted to have ER make the report herself. When interviewed by the police, she stated that a relationship between a minor and an adult male depends on the

situation. This statement led ER to believe that her relationship with the London man was appropriate. Due to Ms. Christianson's failure to report, despite her licensure history and education, shows that she has not kept up with her professional practice.

**Board Action:**

**Count 1** Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(14) in that Respondent has failed to report to the department of child services or a local law enforcement agency suspected child abuse in accordance with IC 31-33-5 as evidenced by Respondent's discouraging of Patient E.R.'s mother to talk to police, and Respondent's failure to notify the Parents of Patient E.R. (age 13-14) of her inappropriate online relationship with the English man (age 21-24) or the authorities when Respondent was aware of inappropriate communications.

A motion was made and seconded that the State has met their burden of proof of Count 1.

Brenner/Harner  
Motion carried 6-0-0

**Count 2** Respondent's actions constitute a violation of ind. Code § 25-1-9-4(4)(B) in that Respondent has continue to practice although the practitioner has become unfit to practice due to failure to keep abreast of current professional theory or practice as evidenced by Respondent's failure to notify the Parents of Patient E.R. (age 13-14) of her inappropriate online relationship with the English man (21-24).

A motion was made and seconded that the State has met their burden of proof of Count 2.

Harner/Gardner  
Motion carried 6/0/0

**Board Action:** A motion was made and seconded to suspend Ms. Christianson's clinical social work license and mental health counselor license for no less than one year with the following terms:

1. Respondent's Indiana L.C.S.W. & L.M.H.C. licenses are Indefinitely suspended for a minimum of twelve (12) months, from the date of the final order.
2. Prior to petitioning for reinstatement, Respondent shall submit twenty (20) continuing education hours in boundaries, documentation, ethics, and confidentiality. Respondent shall submit proof of completion of these continuing education hours to IPLA prior to petitioning for reinstatement.
3. Prior to reinstatement, Respondent shall obtain a fitness for duty evaluation with an HSPP. Respondent shall submit the results to IPLA and show that she followed any and all recommendations made by the evaluator.
4. Prior to reinstatement, Respondent shall complete a graduate level course in profession and ethical standards. Respondent shall submit a transcript to IPLA showing successful completion.

5. Respondent shall, prior to seeking probation withdrawal, pursuant to Ind. Code § 4-6-14-10(b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General  
Attn: Executive Assistant, Consumer Protection  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, IN 46204

6. A violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, or any violation of this final order may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

Brenner/Harner  
Motion carried 6-0-0

**C. Akousa Gyeaboa, LCSW, LCAC, License No. 34000416A, 87001017A**  
Cause No. 2021 BHSB 0001  
Re: Administrative Complaint

**Parties Present:**

Respondent was present  
Counsel Robert Schembs for Respondent not present  
Amanda Cassidy, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Mr. Richardson, LMHC (Hearing Officer)  
Mr. Viehweg, LSW  
Mr. Brenner, LCAC  
Mr. Harner, LCSW  
Mr. Gardner, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** An Administrative complaint was filed against Ms. Gyeaboa on or about January 5, 2021, with allegations that Ms. Gyeaboa failed to provide mental health records to a patient upon their request. On or about May 18, 2021, a Proposed Settlement Agreement has been filed with the following terms:

- Both parties agree to the Agreement voluntarily.
- Both parties waive their rights to a public hearing on the Administrative Complaint.
- Ms. Gyeaboa agrees that the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against her Indiana clinical social work and clinical addiction counselor license.
- Ms. Gyeaboa will receive a Letter of Reprimand to be added to her licenses.

- Ms. Gyeaboa shall, within sixty (60) days of the issuance of the Final Order pay a fee of \$5.00 to be deposited in the Health Records and Person Identifying Information Protection Trust Fund.

**Board Action:** A motion was made and seconded to deny the Proposed Settlement Agreement in the matter of Ms. Gyeaboa.

Viehweg/Harner  
Motion carried 6-0-0

**D. Charles Martinez**

Cause No. 2021 BHSB 0006

Re: Order To Show Cause – Petitioner’s Motion For Order to Cease and Desist

**Parties Present:**

Respondent was not present, no counsel present  
Patricia Gibson, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Mr. Richardson, LMHC (Hearing Officer)  
Mr. Viehweg, LSW  
Mr. Brenner, LCAC  
Mr. Harner, LCSW  
Mr. Gardner, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about May 10, 2021, an Order to Cease and Desist was filed in the matter of Mr. Martinez for the practice of Social Work and Clinical Social Work without a license. An Order to Show Cause was issued to Mr. Martinez on or about May 12, 2021. Mr. Martinez was issued his Social Work license by the Indiana Behavior Health and Human Services Board on May 6, 2021. Respondent now has a valid license to practice; any disciplinary issues should be presented to the Board should be filed in an administrative complaint. The State requested that the Board approve a motion to voluntarily dismiss the Motion for Order to Cease and Desist.

**Board Action:** A motion was made and seconded to grant Petitioner’s Motion to Dismiss the Order to Cease and Desist in the matter of Mr. Martinez.

Viehweg/Gardner  
Motion carried 6-0-0

**E. Jacob Mauck, LMHCA, Temporary Permit 99102099A**

Cause No. 2020 BHSB 0028

Re: Order to Show Cause

The hearing in the matter of Mr. Mauck was continued.

**F. Mark Steinmetz, LCSW, License No. 34005824A**

Cause No. 2020 BHSB 0022  
Re: Order To Show Cause

**Parties Present:**

Respondent was present  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Mr. Richardson, LMHC (Hearing Officer)  
Mr. Viehweg, LSW  
Mr. Brenner, LCAC  
Mr. Harner, LCSW  
Mr. Gardner, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about May 12, 2021, an Order to Show cause was filed against Mr. Steinmetz for him to address the allegations that he is in non-compliance with his probationary terms. Mr. Steinmetz stated that he obtained a DUI while on professional license probation. He stated that he has spoken with his previous employer and wished to protect his license so he may return to practice once he has addressed his issues. He informed the Board that is not currently in a good state of mind to practice and has currently resigned from his employment so he can focus on his sobriety and mental health. He informed the Board that he attended his first court hearing of the DUI last week and was placed on 6-month non-reporting probation by the courts. He stated that he attended rehab in February of 2021 for one month and completed the program. He is currently doing odd jobs for income to support himself. He attends his local community health center for support and sees a therapist. He stated that his last relapse was three weeks after he went to the treatment center. He currently does not have any exhibits for the Board as his case is still pending in the courts. He has maintained sobriety for 6 weeks as of this date and would like to have 1 year of continued sobriety before he returns to the profession.

**Board Action:** A motion was made and seconded to place Mr. Steinmetz on Suspension for no less than one year with the following terms:

1. Respondent's L.C.S.W. licensure is hereby placed on Indefinite Suspension.
2. As a CONDITION PRECEDENT to seeking reinstatement, Respondent must complete the following TERMS and CONDITIONS:
  - a. Respondent may not petition the Board for reinstatement until at least one year from the effective date of this order.
  - b. Respondent shall participate in a substance abuse treatment program and provide documentation to demonstrate compliance with a substance abuse treatment program which at minimum shall include:
    - i. Letter from the licensed provider administering the substance abuse treatment program attesting to compliance with all treatment recommendations; and

- ii. Toxicology reports or Urine Drug Screening results indicating compliance with the treatment program.
- c. Respondent shall maintain sobriety and immediately report any relapses to the Board.
- d. Respondent shall obtain a Fitness for Duty Examination and produce a letter from the provider of the examination to the Board.
- e. Respondent shall keep the Board apprised of the following information and update it as necessary:
  - i. Respondent's current home address, mailing address, and residential telephone number,
  - ii. Applicant's place of employment, employment telephone number, and name of supervisor, and
  - iii. Applicant's occupation title and work schedule, including the number of hours worked per week.

Harner/Brenner  
Motion carried 6-0-0

## **VI. PROPOSED SETTLEMENT AGREEMENT**

There were no settlement agreements.

## **VII. PERSONAL APPEARANCES**

### **A. Probation**

1. **Samantha Habbinga, LSW, License No. 33008889A**  
Cause No. 2020 BHSB 0010

Ms. Habbinga appeared as requested to discuss her probation that was initially placed on November 9, 2020. She is currently employed by IU Health and is supervised by Jennifer Silankis, MSW, LCSW. She has no updates to her contact information and the Board reviewed her submitted CE requirements at her previous appearance. The CE she completed covered facts regarding investigations of physical abuse surrounding infants, and signs to look at in children if they are masking a situation. She has learned more information on what questions to ask, how to look for red flags, when to file and when not to file in a hospital setting and being on the side of caution. Ms. Habbinga reported that she submitted her May report on the 21<sup>st</sup> for her appearance, but everything else is going well.

2. **Mark E. Smith, LCSW, License No. 34001845A**  
Cause No. 2016 BHSB 0029

Mr. Smith appeared as requested to discuss his ongoing probation that was initially placed on January 11, 2018, and modified on August 26, 2019. Mr. Smith is still employed at Family Tree Counseling Associates and supervised by Dr. Brian Grant, Ph.D., HSPP. Mr. Smith informed the Board that he is attending counseling with a new therapist by the name of Paul Hartman. The Board reviewed his supervisor's report and stated that they felt he misunderstood what was needed. In the supervisor report there was a term of

entrepreneurial that the Board wanted more clarification on the meaning. Mr. Smith explained the definition to the Board's satisfaction and went over standout cases. Mr. Smith stated that one of his cases bordered on ethical boundaries, but he discussed that case with Dr. Grant. Mr. Smith did inquire about the petition for withdraw of probation.

**3. Jenna Thomas, LCSW, License No. 34002496A**  
Cause No. 2016 BHSB 0009

Ms. Thomas did not appear as requested. The Board rescheduled her appearance.

**B. Examination Attempts**

There were no applications for review for examination attempts.

**C. Reinstatement**

**1. Patty Ann Crisp, LMHC, LCAC, License No. 39000968A & 87000627A**

Ms. Crisp appeared as requested to discuss the reinstatement of her Mental Health Counselor and Clinical Addiction Counselor licenses that expired in 2012. She has submitted a letter to the Board and 41 hours of continuing education. The Board noted she was grandfathered in for her licenses. As the grandfathering period has passed, and the Board does not have the appropriate examination on file for Ms. Crisp, she will have to take the correct examination levels before she can be reinstated. Ms. Crisp has taken and passed a national examination for her addictions license for another State.

**Board Action:** A motion was made and seconded to approve Ms. Crisp for reinstatement of her mental health counselor license pending passing the NCMHCE examination and the counseling jurisprudence examination. She is also approved for reinstatement of her clinical addictions counselor license pending receipt of her national examination scores and passing the addictions jurisprudence examination.

Harner/Brenner  
Motion carried 6-0-0

**2. Susan Johnson, LCSW, License No. 34004577A**

Ms. Johnson did not appear as requested, but the Board reviewed her statement and submitted continuing education. The Board noted that she has only completed 39 hours of continuing education and she needs 40 hours of continuing education for reinstatement. The Board tabled her reinstatement pending receipt of 1 hour of continuing education from an approved sponsor.

**3. Summer Reschar, LSW, License No. 33006130A**

Ms. Reschar appeared as requested to discuss the reinstatement of her social work license that expired in 2016. Ms. Reschar submitted a statement for the Board and 46 hours of continuing education. She stated that she has currently been working in Florida as a bartender but wanted to return to the field of social work. She stated that her intention

upon receiving her license is to return to work at a psychiatric hospital for adult care. The Board advised Ms. Reschar that she will need to obtain a supervisor and that there have been number of changes in the field since she was licensed.

**Board Action:** A motion was made and seconded to approve Ms. Reschar application for reinstatement pending the jurisprudence examination.

Brenner/Gardner  
Motion carried 6-0-0

#### **D. Application**

##### **1. Rachel Beehler (LCSW)**

Ms. Beehler appeared as requested to provide clarification on her experience and supervision for her clinical social work application. Ms. Beehler graduated with her master of social work in 2018 and was issued her social work license on June 26, 2019. Based upon the experience form, Ms. Beehler is employed by Beehler, LLC which indicates that she is in private practice. Ms. Beehler clarified that she was working under the supervision of Janice Gabe of Hope Academy. Ms. Beehler stated that she created her own LLC so she could bill her clients but was not in private practice as she was supervised by Ms. Gabe. The Board stated that a social worker cannot own or work in private practice. Ms. Beehler clarified that Beehler, LLC is a part of New Perspectives which is a company owned by Janice Gabe. The social workers at New Perspectives create their own separate LLCs for billing and malpractice purposes. The Board asked if Ms. Beehler has worked at any other employers. Ms. Beehler stated that she worked as a teacher's assistant at another employer but has not worked at another employer as a social worker. The Board stated that from a supervision standpoint she has completed the requirements; however, from an employment standpoint it is a liability issue as she is not a clinical social worker. The Board recommended that she dissolve her LLC and be employed under one of her current supervisors at the conglomerate. The Board then tabled her application at this time in order for Ms. Beehler to address her employment issues.

##### **2. Keisha Cooper (LMHC)**

Ms. Cooper appeared as requested to discuss her yes response to question number four "Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?" Ms. Cooper explained that she was arrested for a DUI in 2016. She informed the Board that at the time she was dealing with a number of personal issues and while driving late at home she obtained a flat. She stated that as she was on the side of the road and exhausted, she fell asleep. Ms. Cooper stated that the police saw her exhaustion as intoxication. She was required to complete a criminal probation, and everything had been resolved through the courts. Ms. Cooper is a 2008 graduate of Roosevelt University. She

obtained her degree, but she only earned 51 graduate credit hours, and the statute requires 60 graduate credit hours. Upon review of her transcript, it was noted that did not complete a course in Contextual Dimensions and Assessment has not been met. It also appears on her pre-degree hours that there is not face to face supervision listed, and she needs 66 face to face pre-degree supervision hours. The Board also asked clarification on her employment history. It appears that she is currently working in the state of Indiana without a license. Ms. Cooper stated that she was told by her employer, that as long as she was working toward her license she was approved to work. The Board informed her that this is not the case, she must be licensed in order to work. Ms. Cooper stated she did work in Illinois as a social worker at a psychiatric hospital and was not required to hold a license for that work. The Board approved Ms. Cooper's background and her application is tabled for further review to allow Ms. Cooper to address the educational and experience requirements.

### **3. Nicole Joanne Dominguez (LCSW)**

Ms. Dominguez appeared as requested because she did not indicate yes on her application. Ms. Dominguez is a 2016 graduate of Indiana University and currently holds a social work license. The Board asked Ms. Dominguez if it was her intention to deceive the Board. Ms. Dominguez stated that she misread the question on the application, and it was not her intention to deceive the Board. Ms. Dominguez submitted a statement and supporting documents for the Board to review regarding her background. She stated that she was first arrested in 2006 but had other arrests in 2018 and 2019. She stated that she had made poor choices as a teen. Ms. Dominguez stated that she has primarily been working as a school social worker; however, she would like to have her clinical license for the next step of her career.

**Board Action:** A motion was made and seconded to approve Ms. Dominquez for the ASWB Clinical examination.

Brenner/Viehweg  
Motion carried 6-0-0

### **4. Karina Elizabeth Garcia (LSW)**

Ms. Garcia appeared as requested to discuss her yes response to question number 1 "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have held?" and question number 6 "Have you ever been admonished, censured, reprimanded or requested to withdraw, resign or retire from any hospital or health care facility in which you have trained, held staff membership or privileges or acted as a consultant?" Ms. Garcia is a 2015 graduate of Washburn University and holds a license in the state of Kansas. Ms. Garcia stated that she had challenges with the Kansas Board. While working in a Kansas Hospital, she communicated with a client via social media. The client filed a complaint against her, and she was terminated from her position. She was required by the Kansas Board to complete additional ethical training hours and was required to have supervision in order to practice in Kansas. She stated that

she finished all requirements made by the Kansas Board in April of 2020. Ms. Garcia is currently attending therapy. She said she no longer takes her career for granted. Her intention is to continue working with Beacon as she was initially hired there in 2019.

**Board Action:** A motion was made and seconded to approve Ms. Garcia’s social work license application pending completion of the jurisprudence examination.

Viehweg/Brenner  
Motion carried 6-0-0

**5. Candace Hernandez (LSW)**

Ms. Hernandez appeared as requested to discuss why she did not respond yes to the questions on her application. Ms. Hernandez is a 2019 graduate of Our Lady of the Lake University and currently licensed in the state of Texas. Ms. Hernandez submitted a statement and supporting documents to the Board. She stated that she thought her record was expunged, but she no longer has a copy of the Expungement Order. Ms. Hernandez submitted to the Board all the documents that she was able to locate.

**Board Action:** A motion was made and seconded to approve Ms. Hernandez’s social work application pending completion of the jurisprudence exam.

Viehweg/Harner  
Motion carried 6-0-0

**6. Sara Hoag (LSW)**

Ms. Hoag appeared as requested due to her yes response to question number 4 “Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” Ms. Hoag is a 2020 graduate from the University of Southern Indiana. Ms. Hoag submitted a statement and supporting documents of her incidents that occurred in 2009. She stated that she has learned a lot since that time. Ms. Hoag communicated that her incidents allowed her to be more empathetic and compassionate with her clients. She stated that she completed a fifteen (15) month in patient treatment and has been in recovery for eleven (11) years. She does attend a 12-step program.

**Board Action:** A motion was made and seconded to approve Ms. Hoag’s application to sit for the ASWB Masters examination.

Harner/Viehweg  
Motion carried 6-0-0

## 7. David Kiester (LSW)

Mr. Kiester appeared as requested to discuss his yes response to question number 4 “Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” Mr. Kiester is a 2015 graduate of Tennessee State University. He submitted a statement and supporting documents for his two incidents that occurred in 1981 and 2000. Mr. Keister clarified his submitted statement that the incident in 1981 was a civil suit over a business quarrel in a shopping center covering a political issue and the 2000 incident of the charge of public indecency was dismissed. He stated that he has been licensed in Tennessee for a number of years and has mostly worked with substance abuse cases. He intention is to move back to the State of Indiana in December and wanted to hold a license in order to work in the State.

**Board Action:** A motion was made and seconded to approve Mr. Keister’s application to sit for the ASWB Masters examination.

Harner/Viehweg  
Motion carried 6-0-0

## 8. Emily Leonard (LBSW)

Ms. Leonard appeared as requested to discuss why she did not respond yes to the questions on her application. Ms. Leonard is a 2013 graduate from Murray State. She submitted a statement and supporting documents for the Board to review. She stated she was told by her attorney that when she completed her diversion program that her record would be expunged. The charges have been resolved and she is currently going through the expungement process. She stated prior to the incident she was very sheltered, and the incident caused her to grow up.

**Board Action:** A motion was made and seconded to approve Ms. Leonard’s application to set for the ASWB Bachelors examination.

Harner/Viehweg  
Motion carried 6-0-0

## 9. Sarah Novak (LMHCA)

Ms. Novak appeared as requested to discuss why she did not respond yes to the questions on her application. Ms. Novak is a 2017 graduate of the Chicago School of Professional Psychology. Ms. Novak submitted a statement and supporting documents for the Board to

review. Ms. Novak explained that her parents had hired an attorney to deal with the incident, and she was under the impression that her background was expunged. The Board noted that her supporting documents show that the incident was dismissed and explained to Ms. Novak that if she would like to have the record expunged, she will need to consult with the attorney. Ms. Novak state that she has background in residential and transitional care where she worked mostly with pre-teens. Her intentions are to work at an acute inpatient facility. The Board reviewed her education and found it met requirements.

**Board Review:** A motion was made and seconded to approve Ms. Novak’s application to sit for the NCE exam.

Brenner/Gardner  
Motion carried 6-0-0

#### **10. Terri Lynn Rumfelt (LSW)**

Ms. Rumfelt appeared as requested for clarification on her employment history and treatment of Board staff. Ms. Rumfelt is a 2018 graduate at Simmons University. She stated that she does not work as a therapist, but as a behavior analyst at Keys Counseling. She stated that when she worked at Oaklawn as a therapist, she was completing her internship. Ms. Rumfelt explained that when she called to follow up on her application, she swore under her breath. The Board cautioned her on her behavior toward others, especially if she is under duress.

**Board Action:** A motion was made and seconded to approve Ms. Rumfelt’s application for the ASWB Masters examination.

Harner/Viehweg  
Motion carried 6-0-0

#### **11. James Woodard (LMHCA)**

Mr. Woodard appeared as requested to discuss his yes response to question number 4 on his application “Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” Mr. Woodard is a 2021 graduate from Martin University. Mr. Woodard has appeared prior to the Board for his LAC application to discuss his background. He has not had any new incidents since his last appearance before the Board. The Board reviewed his education for the mental health associate license, and it was approved.

**Board Action:** A motion was made and seconded to approve Mr. Woodard’s application.

to take a second (2<sup>nd</sup>) attempt at the examination for LAC licensure and first attempt at the examination for LMHCA and issue the LAC and LMHCA temporary permits on INDEFINITE PROBATION subject to the following terms and conditions:

1. Applicant's LAC temporary permit, LMHCA temporary permit, LAC license, and LMHCA license when issued, shall be placed on Indefinite Probation. Applicant may not petition the Board to withdraw probation for at two (2) years from the effective date of this Order. The Board may determine not to withdraw Applicant's probationary status on either Applicant's temporary or permanent licenses until Applicant criminal case is fully adjudicated and resolve, including any plea agreement or potential terms of criminal probation which may be entered.
2. Applicant shall remain on probation until the Board withdraws the probation after a hearing in which Applicant demonstrates that the deficiency that warranted the probationary status has been remedied pursuant to Ind. Code § 25-1-9-16.
3. During the probationary period, Applicant's permit and licenses shall be governed by the following terms and conditions:
  - a. Applicant shall keep the Board informed of the following information and update it as necessary:
    - i. Applicant's current home address, mailing address and residential telephone number;
    - ii. Applicant's place of employment, employment telephone number, and name of supervisor; and
    - iii. Applicant's occupation title and work schedule, including the number of hours worked per week.
  - b. Applicant shall promptly notify the Board of any arrest.
  - c. Applicant shall cause his employment supervisor to submit quarterly reports to the Board. If Applicant is not working during any portion of this Indefinite Probation, then Applicant shall submit written self-reports to the Board.
  - d. Within three (3) months of applying for withdrawal of probation, Applicant shall have a psychological assessment/fitness for duty assessment conducted by an HSPP endorsed Psychologist or Psychiatrist, and a copy of that assessment provided to the Board.
  - e. Applicant shall not violate any federal or state laws, rules or regulations governing the practice of Licensed Clinical Addictions Counselors, Licensed Mental Health Counselor Associates, or any other statutory provisions which apply to all the health professions.
  - f. The failure of Applicant to comply with the terms of this Order may subject Applicant to a show cause hearing and the imposition of further sanctions.

Viehweg/Gardner  
Motion carried 6-0-0

## **VIII. DISCUSSION**

### **A. Stacey Horn (LCSW)** Re: Examination

Ms. Horn submitted an application for reciprocity for review. Ms. Horn is a 1991 graduate from Case Western Reserve University and is currently licensed in the states of Tennessee, Colorado, Ohio, and Alabama. Ms. Horn has taken and passed the ASWB in 1990 and the Board needs to determine if this administration of the ASWB examination is equivalent to the current examination for licensure. Mr. Viehweg has reached out to the ASWB to provide more clarification on the examination. It was determined that the level of the examination that was completed was the clinical level. Her exam is considered approved, and her file may be moved onto the next step.

**IX. APPLICATIONS FOR REVIEW**

There were no applications for review.

**X. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL**

The Attorney General's office reported to the Board that they have 77 open complaints and they have closed 51 since the beginning of the year. The average age of the open complaints is 7.5 months. There are currently 19 open litigation cases with only 8 opened this year. The average duration of the litigation cases are 8.5 months.

**XI. FORMAL ADOPTION OF APPLICATION REVIEWS**

A motion was made and seconded to approve the application reviews.

Harner/Brenner  
Motion carried 6-0-0

**XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

There were no continuing education sponsor applications for review.

**XIII. OLD/NEW BUSINESS**

There was no old/new business to discuss.

**XIV. ADMINISTRATORS' REPORT**

There is no administrator's report.

**XV. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 6:12 p.m. by general consensus.

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Kimble Richardson, MS, LMHC, LCSW  
LMFT, LCAC, MHC  
Chair

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Date